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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,982	08/31/2000	Ramin C. Nakisa	8767.00	3080
7590	12/30/2003			EXAMINER
Michael Chan			HOLMES, MICHAEL B	
Intellectual Property Section			ART UNIT	PAPER NUMBER
Law Department NCR Corporation			2121	11
101 West Schantz ECD 2				
Dayton, OH 45479-0001			DATE MAILED: 12/30/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application N .	Applicant(s)
	09/651,982	NAKISA ET AL.
	Examiner Michael B. Holmes	Art Unit 2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 October 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-67 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-67 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____.



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## Examiner's Detailed Office Action

1. This office action is responsive to communication received on **October 20, 2003**.

Amendment "A" under 37 CFR § 1.111. Reconsideration and allowance of the present application **09/651,982** are respectfully requested by applicant. All such supporting documentation has been placed in applicant's file.

2. **Claims 1-67 have not been amended and are pending.**

3. Applicant's arguments filed October 20, 2003, paper #10, have been fully considered but they are **not** persuasive.

4. Examiner **maintains** the Title 35 USC § 102 (b) and Title 35 USC § 103 (a) rejection(s) of paper #9, mailed July 17, 2003. The text of which will not be include hereinafter.

## Response to Amendment

5. As aforementioned, applicant has offered no amendment or canceled any claims in an effort or attempt to overcome the prior art rejection(s). In the remarks applicant argues that the (Amado USPN 5701,400), "*only generally describes knowledge bases and databases miners*,

*but not the specific combination recited by Applicant's claims.*" Examiner contends an operative words employed in the codified statutes is "*described.*" Amado and the other references does indeed describe applicant's claimed invention i.e., expert systems, application programs that are traditionally associated with artificial intelligence, an inference engine(s), intelligent database(s), a knowledge base, that makes decisions or solves problems in a particular field, such a finance or medicine, by using a knowledge and analytical rules or rulesets defined by human experts in the field. Which typically, employ two components, a knowledge base and an inference engine to form conclusions. Moreover, additional tools typically include user interfaces and explanation facilities, which enable the system to justify or explain its conclusions as well as allowing developers to run checks on the operating system. Finally, knowledge bases a form of database used in expert systems that contains the accumulated knowledge of human specialist or experts in their respective filed of expertise. Moreover, the reasoning ability or problem solving approach to that a specialist or expert, would use is typically contained in the inference engine, which forms a crucial and necessary part of an expert system.

## Examiners Summary

6        Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

## Correspondence Information

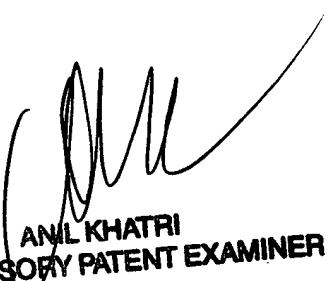
7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Michael B. Holmes** who may be reached via telephone at **(703) 308-6280**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final issues, please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please send it to **(703) 746-7239**. If you would like to send a Non-Official (draft) facsimile transmission the fax is **(703) 746-7240**. If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Anil Khatri**, may be reached at **(703) 305-0282**.

Any response to this office action should be mailed to:

**Director of Patents and Trademarks Washington, D.C. 20231.** Hand-delivered responses should be delivered to the Receptionist, located on the fourth floor of **Crystal Park II, 2121 Crystal Drive Arlington, Virginia.**

***Michael B. Holmes***  
Patent Examiner  
Artificial Intelligence  
Art Unit 2121  
United States Department of Commerce  
Patent & Trademark Office



ANIL KHATRI  
SUPERVISORY PATENT EXAMINER